

Application No. 10/827,286  
Docket No. 87361.4040  
Customer No. 30734

Patent



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:	)	
C. Alan Peet et al.	)	Confirmation No. 2657
	)	
Application No. 10/827,286	)	Group Art Unit: 1724
	)	
Filed: April 20, 2004	)	Examiner: Thomas M. Lithgow

For: NON-PLANAR MEDIA TRANSMISSION FILTER APPARATUS AND METHOD  
WITH TRAY

### RESPONSE TO RESTRICTION REQUIREMENT

United States Patent & Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolf Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In response to the Office Action dated June 29, 2006, Applicants respectfully request reconsideration of this Office Action in light of the following remarks. In the Office Action, the Examiner required restriction under 35 U.S.C. §121 to one of the following groups:

- I. *Claims 1-22 and 25, drawn to a filter, classified in class 210, subclass 232.*
- II. *Claim 23, drawn to a method of filtering, classified in class 210, subclass 767.*
- III. *Claim 24, drawn to a method of making a filter, classified in class 156, subclass 73.1.*

In response, Applicants hereby elect Group I, Claims 1-22 and 25 for examination in this case, with traverse.


As set forth in M.P.E.P. §803, there are two criteria for a proper requirement for restriction: 1) the inventions must be independent or distinct, and 2) there must be a serious burden on the Examiner if restriction is required. Applicants respectfully submit that the

Examiner has made no showing that there would be a serious burden to examine all the embodiments of the application together.

Further, at the Examiner's disposal are powerful electronic search engines providing the Examiner with the ability to quickly and easily search all the claims. Considering that the Examiner will most likely undertake a search for the apparatus of claims 1, 12, and 18 that include a filter media, searching for the remaining method claims that also include a method for filtering and a method for assembling a filter would be minimally burdensome on Examiner.

In view of the above, Applicants respectfully request withdrawal of the restriction requirement and an action on the merits of all embodiments. Applicants reserve the right to pursue the subject matter in this or another application.

Respectfully submitted,  
**BAKER & HOSTETLER LLP**



Annette K. Kwok  
Reg. No. 58,278

Date: July 18, 2006  
Washington Square, Suite 1100  
1050 Connecticut Avenue, N.W.  
Washington, D.C. 20036-5304  
Telephone: 202-861-1561  
Facsimile: 202-861-1783